United Nations

A/54/671

General Assembly

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Fifty-fourth session
Agenda items 121 and 50

Proposed programme budget for the biennium 2000-2001

The situation in Afghanistan and its implications for international peace and security

Programme budget implications of draft resolution A/54/L.58

Report of the Fifth Committee

Rapporteur: Mr. Jan Piotr **Jaremczuk** (Poland)

1. At its 47th meeting, on 15 December 1999, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/54/41) of the programme budget implications of draft resolution A/54/L.58 and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/54/667).

2. Statements and comments made in the course of the Fifth Committee's consideration of this question are reflected in the relevant summary records (see A/C.5/54/SR.47).

Decision of the Fifth Committee

3. The Fifth Committee decided to inform the General Assembly that, should it adopt draft resolution A/54/L.58, the requirements of $3,407,600 would be charged against the provision of $90,387,200 for special political missions requested in section 3, Political affairs, of the proposed programme budget for the biennium 2000-2001.

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General Assembly

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Agenda items 121 and 115

Proposed programme budget for the biennium 2000-2001

Right of peoples to self-determination

Use of mercenaries as a means of violating human rights and impeding the exercise of the right of peoples to self-determination

Programme budget implications of draft resolution II contained in the report of the Third Committee on the right of peoples to self-determination (A/54/604)

Report of the Fifth Committee

Rapporteur: Mr. Jan Piotr **Jaremczuk** (Poland)

1. At its 44th meeting, on 9 December 1999, the Fifth Committee, pursuant to rule 153 of the rules of procedure of the General Assembly, considered the statement by the Secretary-General (A/C.5/54/36) of the programme budget implications of draft resolution II contained in the report of the Third Committee on the right of peoples to self-determination (A/54/604). The related report of the Advisory Committee on Administrative and Budgetary Questions was presented orally by its Chairman.

2. Statements and comments made in the course of the Committee's consideration of the question are reflected in the relevant summary record (A/C.5/54/SR.44).

Decision of the Fifth Committee

3. The Fifth Committee decided to inform the General Assembly that, should it adopt draft resolution II contained in the report of the Third Committee on the right of peoples to self-determination (A/54/604), an additional requirement of $184,600 would arise under section 22, Human rights, of the proposed programme budget for the biennium 2000-2001.

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General Assembly

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Fifty-fourth session
Agenda item 163

Review of the implementation of General Assembly resolution 48/218 B

Report of the Fifth Committee

Rapporteur: Mr. Jan Piotr **Jaremczuk** (Poland)

I. Introduction

1. At its 3rd plenary meeting, on 17 September 1999, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fourth session the item entitled "Review of the implementation of General Assembly resolution 48/218 B" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 47th meeting, on 15 December 1999. Comments and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary record (A/C.5/54/SR.47).

II. Consideration of draft resolution A/C.5/54/L.17

3. At the 47th meeting, on 15 December, the representative of Egypt, Vice-Chairman of the Committee and coordinator of the informal consultations on the agenda item, introduced a draft resolution entitled "Review of the implementation of General Assembly resolution 48/218 B" (A/C.5/54/L.17).

4. At the same meeting, the Secretary of the Committee orally corrected the draft resolution by inserting the heading "Funds and programmes" between operative paragraphs 12 and 13.

5. Also at the same meeting, the Committee adopted draft resolution A/C.5/54/L.17, as orally corrected, without a vote (see para. 6).

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99-39405 (E) 171299

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Review of the implementation of General Assembly resolution 48/218 B

The General Assembly,

Reaffirming the relevant Articles of the Charter of the United Nations,

Recalling its resolution 48/218 B of 29 July 1994,

Having evaluated and reviewed the functions and reporting procedures of the Office of Internal Oversight Services, as called for in paragraph 13 of resolution 48/218 B,

Reaffirming its role as one of the principal organs of the Organization as laid down in the Charter,

Reaffirming also that the purpose of the Office of Internal Oversight Services is to assist the Secretary-General in fulfilling his internal oversight responsibilities in respect of the staff and the resources of the Organization,

Reaffirming further its resolution 41/213 of 19 December 1986 and the regulations and rules of the United Nations,

Reaffirming the separate and distinct roles of internal and external oversight mechanisms,

1. *Reaffirms* its resolution 48/218 B, subject to the provisions of the present resolution;

2. *Also reaffirms* its role as the principal oversight organ of the Organization;

3. *Recognizes* the importance of the Office of Internal Oversight Services in continuing to assist the Secretary-General in fulfilling his internal oversight responsibilities;

Reporting

4. *Requests* the Secretary-General to transmit the reports of the Office of Internal Oversight Services to the General Assembly for its consideration and action, in conformity with the relevant provisions of the Charter of the United Nations and the rules of procedure of the General Assembly;

5. *Also requests* the Secretary-General to make substantive comments, as appropriate, on the findings and recommendations, and to ensure that the views of the concerned departments on the recommendations are included in the body of the report;

Functions

6. *Emphasizes* that the Office of Internal Oversight Services shall conduct its internal oversight activities strictly in full conformity with General Assembly resolution 48/218 B and subject to the provisions of the present resolution;

7. *Reaffirms* that the Office of Internal Oversight Services, with respect to its inspection and evaluation functions, shall evaluate the efficiency and the effectiveness of the implementation of the programmes and legislative mandates of the Organization, in accordance with paragraph 5 (c) (iii) of General Assembly resolution 48/218 B;

8. *Emphasizes* also that the approval, change and discontinuation of legislative mandates are the exclusive prerogatives of intergovernmental legislative bodies;

9. *Stresses* that the Office of Internal Oversight Services shall not propose to the General Assembly any change in the legislative decisions and mandates approved by intergovernmental legislative bodies;

10. *Recognizes* that the Secretary-General can submit to the General Assembly any proposal for change in the legislative decisions and mandates through the appropriate channels;

Coordination

11. *Emphasizes* the importance of coordination among oversight bodies, and welcomes the periodic meetings between the Office of Internal Oversight Services and the external oversight bodies;

12. *Reaffirms* that the Board of Auditors and the Joint Inspection Unit shall be provided with copies of all reports produced by the Office of Internal Oversight Services, requests that these be made available within one month of their finalization, and further emphasizes the need for their comments, as appropriate;

Funds and programmes

13. *Decides* to revert to the question referred to in paragraph 11 of its resolution 48/218 B in the context of its consideration of the report of the Secretary-General on enhancing the internal oversight mechanisms in operational funds and programmes,[1] and in this connection requests the Secretary-General to update the information in that report;

14. *Also decides* to consider this question at an early stage at its fifty-fifth session;

15. *Further decides* that institutional arrangements governing reimbursements of costs between the Office of Internal Oversight Services and United Nations funds and programmes should be made in accordance with the relevant rules and regulations of the respective funds and programmes, including decisions, as appropriate, by their legislative bodies;

Investigations

16. *Stresses* that, in respect of the investigation function of the Office of Internal Oversight Services, the Secretary-General shall provide procedures to protect individual rights of staff, including those of staff members making reports to the Investigation Section, and to regulate due process and fairness for all parties concerned;

17. *Requests* the Secretary-General to submit to the General Assembly for its consideration and action, in conformity with the relevant provisions of the Charter of the United Nations and the rules of procedure of the General Assembly, rules and procedures to be applied for the investigation functions performed by the Office of Internal Oversight Services, in order to ensure fairness and avoid possible abuse in the investigation process;

[1] A/51/801.

Operational independence

18. · *Emphasizes* that, in accordance with paragraph 5 (a) of its resolution 48/218 B, the operational independence of the Office of Internal Oversight Services is related to the performance of its internal oversight functions;

19. *Also emphasizes* that recruitment and promotion of staff of the Office of Internal Oversight Services shall be in accordance with the provisions of the Charter, the relevant resolutions and decisions of the General Assembly and staff regulations and rules of the Organization, taking into account Article 101, paragraph 3, of the Charter;

20. *Decides* to evaluate and review the functions and reporting procedures of the Office of Internal Oversight Services and any other matter which it deems appropriate at its fifty-ninth session, and to that end to include in the provisional agenda of that session an item entitled "Review of the implementation of General Assembly resolutions 48/218 B and 54/__".

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General Assembly

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Agenda item 166

Financing of the United Nations Interim Administration Mission in Kosovo

Report of the Fifth Committee

Rapporteur: Mr. Jan Piotr **Jaremczuk** (Poland)

I. Introduction

1. At its 3rd plenary meeting, on 17 September 1999, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fourth session the item entitled "Financing of the United Nations Interim Administration Mission in Kosovo" and to allocate it to the Fifth Committee.

2. The Fifth Committee considered the item at its 42nd, 43rd and 47th meetings, on 6, 7 and 15 December 1999. Statement and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/54/SR.42, 43 and 47).

3. For its consideration of the item, the Committee had before it the report of the Secretary-General (A/54/494 and Corr.1) and the related report of the Advisory Committee on Administrative and Budgetary Questions (A/54/622).

II. Consideration of draft resolution A/C.5/54/L.18

4. At the 47th meeting, on 15 December, the representative of Egypt, Vice-Chairman of the Committee and coordinator of the informal consultations on this item, introduced a draft resolution entitled "Financing of the United Nations Interim Administration Mission in Kosovo" (A/C.5/54/L.18).

5. At the same meeting, the Committee adopted draft resolution A/C.5/54/L.18 without a vote (see para. 7).

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99-39411 (E) 171299

6. After the adoption of the draft resolution statements in explanation of position were made by the representatives of Finland (on behalf of the States Members of the United Nations that are members of the European Union) and the Philippines (see A/C.6/54/SR.47).

III. Recommendation of the Fifth Committee

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the United Nations Interim Administration Mission in Kosovo

The General Assembly,

Having considered the report of the Secretary-General on the financing of the United Nations Interim Administration Mission in Kosovo[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Bearing in mind Security Council resolution 1244 (1999) of 10 June 1999 regarding the establishment of the United Nations Interim Administration Mission in Kosovo,

Recalling its resolution 53/241 of 28 July 1999 on the financing of the Mission,

Acknowledging the complexity of the Mission,

Reaffirming that the costs of the Mission are expenses of the Organization to be borne by Member States in accordance with Article 17, paragraph 2, of the Charter of the United Nations,

Recalling its previous decisions regarding the fact that, in order to meet the expenditures caused by the Mission, a different procedure is required from that applied to meet expenditures of the regular budget of the United Nations,

Taking into account the fact that the economically more developed countries are in a position to make relatively larger contributions and that the economically less developed countries have a relatively limited capacity to contribute towards such an operation,

Bearing in mind the special responsibilities of the permanent members of the Security Council, as indicated in General Assembly resolution 1874 (S-IV) of 27 June 1963, in the financing of such operations,

Noting with appreciation that voluntary contributions have been made to the Mission,

Mindful of the fact that it is essential to provide the Mission with the necessary financial resources to enable it to fulfil its responsibilities under the relevant resolutions of the Security Council,

Recalling its resolutions 51/243 of 15 September 1997 and 52/234 of 26 June 1998,

1. *Takes note* of the status of contributions to the United Nations Interim Administration Mission in Kosovo as at 30 November 1999, including the contributions outstanding in the amount of 50.1 million United States dollars, representing 40 per cent of the total assessed contributions, notes that some 23 per cent of the Member States have

[1] A/54/494 and Corr.1.

[2] A/54/622.

paid their assessed contributions in full, and urges all other Member States concerned, in particular those in arrears, to ensure payment of their outstanding assessed contributions;

2. *Expresses its appreciation* to those Member States which have paid their assessed contributions in full;

3. *Urges* all Member States to make every possible effort to ensure payment of their assessed contributions to the Mission in full and on time;

4. *Expresses concern* at the delay experienced by the Secretary-General in deploying and providing adequate resources to some peacekeeping missions, in particular those in Africa;

5. *Emphasizes* that all future and existing peacekeeping missions shall be given equal and non-discriminatory treatment in respect of financial and administrative arrangements;

6. *Also emphasizes* that all peacekeeping missions shall be provided with adequate resources for the effective and efficient discharge of their respective mandates;

7. *Notes* the role of the specialized agencies in the implementation of humanitarian activities in the Mission under pillar II, including those related to technical cooperation, and requests the Secretary-General to finalize agreements with those agencies and to report thereon to the General Assembly in the context of the next budget proposal for the Mission;

8. *Requests* the Secretary-General to undertake the study called for by the Advisory Committee on Administrative and Budgetary Questions on the use of United Nations Volunteers in peacekeeping operations and to report to the General Assembly during the main part of its fifty-fifth session;

9. *Also requests* the Secretary-General to fully comply with the guidelines on the acceptance of gratis personnel approved by the General Assembly in its resolution 52/234;

10. *Further requests* the Secretary-General to make the fullest possible use of facilities and equipment at the United Nations Logistics Base at Brindisi, Italy, in order to minimize the costs of procurement for the Mission, and, to this purpose, requests the Secretary-General to speed up the implementation of the asset management system at all peacekeeping missions in accordance with General Assembly resolution 52/1 of 15 October 1997;

11. *Endorses* the observations and recommendations contained in the report of the Advisory Committee on Administrative and Budgetary Questions;[2]

12. *Requests* the Secretary-General to take all necessary action to ensure that the Mission is administered with a maximum of efficiency and economy;

13. *Also requests* the Secretary-General, in order to reduce the cost of employing General Service staff, to continue efforts to employ locally recruited staff for the Mission against General Service posts, commensurate with the requirements of the Mission;

14. *Decides* to appropriate the amount of 427,061,800 dollars gross (410,091,700 dollars net) for the establishment and maintenance of the Mission for the period from 10 June 1999 to 30 June 2000, inclusive of the amount of 200 million dollars authorized by the General Assembly in its resolution 53/241;

15. *Decides also*, as an ad hoc arrangement, to apportion the amount of 302,061,800 dollars gross (285,091,700 dollars net) for the period from 10 June 1999 to 30 June 2000, taking into account the amount of 125 million dollars already apportioned among Member States in accordance with Assembly resolution 53/241 and in accordance with the

composition of groups set out in paragraphs 3 and 4 of General Assembly resolution 43/232 of 1 March 1989, as adjusted by the Assembly in its resolutions 44/192 B of 21 December 1989, 45/269 of 27 August 1991, 46/198 A of 20 December 1991, 47/218 A of 23 December 1992, 49/249 A of 20 July 1995, 49/249 B of 14 September 1995, 50/224 of 11 April 1996, 51/218 A to C of 18 December 1996 and 52/230 of 31 March 1998 and its decisions 48/472 A of 23 December 1993 and 50/451 B of 23 December 1995, and taking into account the scale of assessments for the years 1999 and 2000, as set out in its resolution 52/215 A of 22 December 1997;

16. *Decides further* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraph 15 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 16,970,100 dollars approved for the Mission for the period from 10 June 1999 to 30 June 2000;

17. *Emphasizes* that no peacekeeping mission shall be financed by borrowing funds from other active peacekeeping missions;

18. *Encourages* the Secretary-General to continue to take additional measures to ensure the safety and security of all personnel under the auspices of the United Nations participating in the Mission;

19. *Invites* voluntary contributions to the Mission in cash and in the form of services and supplies acceptable to the Secretary-General, to be administered, as appropriate, in accordance with the procedure and practices established by the General Assembly;

20. *Regrets* that the report of the Secretary-General does not contain satisfactory explanation, and requests the Secretary-General to improve the presentation in his future reports on the budget of the Mission and submit them in a timely manner;

21. *Decides* to keep under review during its fifty-fourth session the item entitled "Financing of the United Nations Interim Administration Mission in Kosovo".

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Agenda items 121 and 99 (f)
Proposed programme budget for the biennium 2000-2001

Sustainable development and international economic cooperation: implementation of the Programme of Action for the Least Developed Countries for the 1990s

Programme budget implications of draft resolution A/C.2/54/L.73

Implementation of the Programme of Action for the Least Developed Countries for the 1990s

Report of the Advisory Committee on Administrative and Budgetary Questions

1. The Advisory Committee has considered the statement submitted by the Secretary-General in accordance with rule 153 of the rules of procedure of the General Assembly on programme budget implications of draft resolution A/C.2/54/L.73, adopted by the Second Committee by consensus (A/C.5/54/43). During its consideration of the statement, the Advisory Committee met with representatives of the Secretary-General, who provided the Committee with additional information and clarifications.

2. Under the terms of draft resolution A/C.2/54/L.73, the General Assembly would, *inter alia*:

(a) Decide to defray the cost of participation of two government representatives from each least developed country in the meetings of the intergovernmental preparatory committee and the Conference on the Least Developed Countries itself through the use of extrabudgetary resources and, in the event that those resources prove to be insufficient, would request the Secretary-General to consider all other options, including, *inter alia*, the use of unspent balances from the regular budget for the biennium 1996-1997, as an exceptional measure;

(b) Request the Secretary-General, in consultation with the Secretary-General of the United Nations Conference on Trade and Development (UNCTAD) and Member States, to make the necessary arrangements, through redeployment and using other resources at their disposal, for the substantial strengthening of the Office of the Special Coordinator for Least Developed, Landlocked and Island Developing Countries, through the provision of sufficient staff and resources, with a view to enabling it to organize effectively and efficiently the Third United Nations Conference on Least Developed Countries and the follow-up to its outcome, while satisfactorily carrying out adequately its mandates relating to the least developed, landlocked and small island developing countries.

3. The Advisory Committee notes from paragraph 5 of the statement that any additional costs resulting from a change of venue of the Third United Nations Conference on

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Least Developed Countries from Geneva (where the Conference is to held, under the established headquarters principle) to Brussels would be borne by the host country or, in this particular instance, the European Union. Moreover, as indicated in paragraph 6 of the statement, the holding of the meeting of the intergovernmental preparatory committee in New York would constitute an exception to section I, paragraph 4, of General Assembly resolution 40/243 of 18 December 1985, which stipulates that United Nations bodies shall plan to meet at their respective established headquarters, which in this case is Geneva.

4. The Advisory Committee notes from paragraph 10 of the Secretary-General's statement, that the cost of the participation of two government representatives from each least developed country to the two sessions of the preparatory committee and to the Conference itself, estimated at $1.7 million, would be met from extrabudgetary resources; however, should the extrabudgetary resources be insufficient, the Secretary-General's understanding is that he would be authorized to use in the first instance the remaining portion of the resources approved by the General Assembly in paragraph 2 of its resolution 53/3 of 12 October 1998 for the one-time funding of the expenses of experts attending, in their personal capacity, expert meetings convened by the Commission of the Trade and Development Board of UNCTAD. According to the Secretary-General, the unspent balance for the financing of such experts during the biennium 1996-1997 amounts to $576,700, as at 30 September 1999, which should be sufficient to cover the cost of participation of two representatives from all least developed countries to the first session of the preparatory committee in 2000. Should there continue to be a shortfall in the availability of extrabudgetary resources for the participation of the representatives of least developed countries in the second session of the preparatory committee and the Conference itself, in 2001, the Secretary-General intends to bring the situation to the attention of the General Assembly at its fifty-fifth session.

5. The Advisory Committee notes from paragraph 11 of the Secretary-General's statement that the payment of travel to representatives of least developing countries, as envisaged in paragraph 14 of draft resolution A/C.2/54/L.73, would imply an exception to the provisions of General Assembly resolution 1798 (XVII) of 11 December 1962, regarding the payment, out of United Nations funds, of travel and subsistence expenses to members of organs and subsidiary organs of the United Nations.

6. The Advisory Committee points out that, under the terms of the draft resolution, the Secretary-General has a number of options for the financing of the participation of the governmental representatives of least developed countries in the meetings of the Preparatory Committee and the Conference. However, the Secretary-General, in his statement, elaborates on only one of those options, that is, that of using the balance of UNCTAD resources approved under the terms of General Assembly resolution 53/3. In the opinion of the Committee, the implementation of that option may entail some difficulties. For example, while the Secretary-General proposes to cover the cost of participation in the sessions of the Preparatory Committee and the Conference itself of governmental representatives, the terms of General Assembly resolution 53/3 provide for covering expenses of experts attending expert meetings in their personal capacity. Moreover, the resolution provides for covering travel expenses relating to meetings of a specific United Nations body, namely, experts meetings convened by the Commission of the Trade and Development Board. The Advisory Committee concludes, therefore, that the nature of activities outlined in draft resolution A/C.2/54/L.73 was not covered in the mandate approved by the General Assembly in paragraph 2 of its resolution 53/3.

7. Under the circumstances, the General Assembly may wish to consider approving the use of savings from the programme budget for the biennium 1998-1999. Alternatively, the General Assembly may wish to make provision in the programme budget for the biennium 2000-2001.

8. Other additional requirements resulting from the draft resolution include a provision of general temporary assistance funds for the Office of the Special Coordinator in the amount of $541,400 (a total of 48 work-months: 1 P-5,1 P-4 and 2 P-3), $70,000 under travel of staff, $30,000 for public information and $5,000 for miscellaneous expenses.

9. The Advisory Committee recommends that the Fifth Committee inform the General Assembly that, should it adopt the draft resolution contained in document A/C.2/54/L.73, additional provisions would be required over and above the resources included in the proposed programme budget for the biennium 2000-2001, as follows: $616,400 under section 11A and $30,000 under section 26. Under the procedures established by the General Assembly in its resolutions 41/213 of 19 December 1986 and 42/211 of 21 December 1987, these provisions would represent a charge against the contingency fund. Moreover, depending on the action the General Assembly may take with regard to what is stated in paragraphs 6 and 7 above, there may be an additional charge against the contingency fund.

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Programme planning

Report of the Fifth Committee

Rapporteur: Mr. Jan Piotr **Jaremczuk** (Poland)

I. Introduction

1. At its 3rd plenary meeting, on 17 September 1999, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fourth session the item entitled "Programme planning" and to allocate it to the Fifth Committee.

2. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Committee for Programme and Coordination on the work of its thirty-ninth session;[1]

(b) Report of the Secretary-General on measures for sectoral, functional and regional bodies to review the proposed medium-term plan for the period 2002-2005 (A/54/89);

(c) Report of the Secretary-General on ways in which the full implementation and the quality of mandated programmes and activities could be ensured and could be better assessed by and reported to Member States (A/54/117);

(d) Report of the Secretary-General on Regulations and Rules Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (A/54/125);

(e) Note by the Secretary-General on Regulations and Rules Governing Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation (A/C.5/54/12).

[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 16* (A/54/16).

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3. The Fifth Committee considered the item at its 40th and 48th meetings, on 30 November and 17 December 1999. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/54/SR.40 and 48).

4. At the 40th meeting, on 30 November, the Chairman of the Committee for Programme and Coordination introduced the report of that Committee (see A/C.5/54/SR.40).

II. Consideration of draft resolution A/C.5/54/L. 23

5. At the 48th meeting, on 17 December, the representative of Pakistan, Vice-Chairman of the Committee and coordinator of the informal consultations on the item, introduced a draft resolution entitled "Programme planning" (A/C.5/54/L.23).

6. At the same meeting, the Committee adopted draft resolution A/C.5/54/L.23 without a vote (see para. 8).

7. Following the adoption of the draft resolution, a statement in explanation of position was made by the representative of Finland (on behalf of the States Members of the United Nations that are members of the European Union).

III. Recommendation of the Fifth Committee

8. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Programme planning

The General Assembly,

Having considered the report of the Committee for Programme and Coordination on the work of its thirty-ninth session,

1. *Takes note with appreciation* of the report of the Committee for Programme and Coordination on the work of its thirty-ninth session;[1]

2. *Endorses* the conclusions and recommendations contained in the report of the Committee regarding the review of the efficiency of the administrative and financial functioning of the United Nations, programme planning and the provisional agenda for the fortieth session of the Committee;

3. *Also endorses* the conclusions and recommendations on coordination questions contained in paragraphs 560 to 565, 567 and 568, and 587 to 596 of the report of the Committee;[1]

4. *Notes* that, in the context of coordination questions, the proposals relating to performance indicators requested by the Committee for Programme and Coordination and contained in the report of the Secretary-General on the implementation of the United Nations System-wide Special Initiative for the Implementation of the United Nations New Agenda

for the Development of Africa in the 1990s[2] have not been approved by the General Assembly;

5. *Notes* that the matter addressed in paragraph 566 of the report of the Committee is being considered by the General Assembly under a separate item of the agenda;

6. *Urges* the Secretary-General to issue, as soon as possible, the rules in implementation of the revised Regulations Governing Programme Planning, the Programme Aspects of the Budget, the Monitoring of Implementation and the Methods of Evaluation adopted by the General Assembly at its fifty-third session, taking fully into account the recommendations of the Committee for Programme and Coordination contained in paragraph 47 of its report;[1]

7. *Decides* to continue its consideration of the item entitled "Programme planning" during the resumed fifty-fourth session.

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[2] E/AC.51/1999/6.

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General Assembly

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Agenda item 126

United Nations common system

Report of the Fifth Committee

Rapporteur: Mr. Jan Piotr **Jaremczuk** (Poland)

I. Introduction

1. At its 3rd plenary meeting, on 17 September 1999, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fourth session the item entitled "United Nations common system" and to allocate it to the Fifth Committee.

2. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the International Civil Service Commission for the year 1999;[1]

(b) Note by the Secretary-General on the review of the International Civil Service Commission (A/54/483);

(c) Note by the Secretary-General on the United Nations common system (A/C.5/54/24);

(d) Statement submitted by the Secretary-General on the administrative and financial implications of the decisions and recommendations contained in the report of the International Civil Service Commission (A/54/434);

(e) Note by the Secretary-General on the review of the International Civil Service Commission (A/53/688).

3. The Fifth Committee considered the item at its 18th to 20th, 26th, 28th and 48th meetings, on 28, 29 October, 1, 4, 5 November and 17 December 1999. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/54/SR.18-20, 26, 28 and 48).

[1] *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 30* (A/54/30).

99-39752 (E) 191299

4. At the 18th meeting, on 28 October, the Chairman of the International Civil Service Commission introduced the annual report of the Commission (see A/C.5/54/SR.18).

II. Consideration of draft resolution A/C.5/54/L.14

5. At the 48th meeting, on 17 December 1999, the representative of Côte d'Ivoire and coordinator of the informal consultations on the item, introduced a draft resolution entitled "United Nations common system: report of the International Civil Service Commission" (A/C.5/54/L.14), which was submitted by the Chairman on the basis of informal consultations.

6. At the same time, the Committee adopted draft resolution A/C.5/54/L.14 without a vote (see para. 7).

III. Recommendation of the Fifth Committee

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

United Nations common system: report of the International Civil Service Commission

The General Assembly,

Having considered the report of the International Civil Service Commission for the year 1999[1] and other related reports,[2]

Reaffirming its commitment to a single, unified United Nations common system as the cornerstone for the regulation and coordination of the conditions of service of the United Nations common system,

Convinced that the common system constitutes the best instrument to secure staff of the highest standards of efficiency, competence and integrity for the international civil service, as stipulated under the Charter of the United Nations,

Reaffirming the central role of the Commission in the regulation and coordination of the conditions of service of the United Nations common system,

Reaffirming further the statute of the International Civil Service Commission,

I
Conditions of service of staff in the Professional and higher categories

A. Noblemaire principle and its application

Recalling its resolution 44/198 of 21 December 1989 and other relevant resolutions,

1. *Reaffirms* the continued application of the Noblemaire principle;

[2] A/54/434, A/54/483 and A/C.5/54/24.

2. *Reaffirms* the need to continue to ensure the competitiveness of the conditions of service of the common system;

B. Evolution of the margin

Recalling section I.B of its resolution 52/216 of 22 December 1997 and the standing mandate from the General Assembly, in which the Commission is requested to continue its review of the relationship between the net remuneration of the United Nations staff in the Professional and higher categories in New York and that of the comparator civil service (the United States federal civil service) employees in comparable positions in Washington, D.C. (referred to as "the margin"),

Recalling also section IX, paragraph 3, of its resolution 46/191 A of 20 December 1991, in which it requested the Commission to include in its work a review of the differences between the United Nations and the United States net remuneration at individual grade levels,

Recalling further section II.B, paragraph 3, of its resolution 48/224 of 23 December 1993, wherein it considered that the Commission should address the imbalance in the United Nations/United States remuneration ratios in the context of overall margin considerations,

1. *Notes* the view of the Commission that, bearing in mind the imbalance in the margin levels, a recommendation for a differentiated salary increase by grades would need to be submitted to the General Assembly at the time of any future recommendation for a real salary increase;

2. *Also notes* that the margin between net remuneration of United Nations staff in grades P-1 to D-2 in New York and that of officials in comparable positions in the United States federal civil service for 1999 is 114.1;

C. Base/floor salary scale

Recalling section I.H of its resolution 44/198, by which it established a floor net salary level for staff in the Professional and higher categories by reference to the corresponding base net salary levels of officials in comparable positions serving at the base city of the comparator civil service (the United States federal civil service),

1. *Approves*, with effect from 1 March 2000, the revised base scale of gross and net salaries for staff in the Professional and higher categories, contained in annex I to the present resolution, and the consequential amendment to the Staff Regulations of the United Nations, as reflected in section A of annex II to the present resolution;

2. *Decides* that, with effect from 1 March 2000, the staff assessment amounts at various grades and steps for those receiving remuneration at the single rate will be determined in accordance with the procedure outlined in section B of annex II to the present resolution;

D. Post adjustment at Geneva

Recalling section I.B of its resolution 50/208 of 23 December 1995, section I.E of its resolution 51/216 of 18 December 1996, section I.D of its resolution 52/216 and section I.G of its resolution 53/209 of 18 December 1998, related to the establishment of a single post adjustment index in respect of staff members whose duty station is Geneva,

1. *Takes note* of the views and conclusions of the Commission contained in paragraphs 36 and 37 of its report;[1]

2. *Reiterates* its request to the Commission to prepare a comprehensive review of the post adjustment system along the lines requested in section I.G of resolution 53/209 and to include in that report indicative statistics and its views on legal and administrative aspects of the following options:

(a) Establishment of a single post adjustment index based on prices at Geneva and the bordering areas in France;

(b) Establishment of two separate post adjustment indices, one based on Geneva prices and the other based on prices in the bordering areas in France;

(c) Establishment of a single post adjustment index for Geneva and the surrounding cantons;

(d) Establishment of a single post adjustment index based on the comparison of prices of goods and services at Geneva with those applicable in Manhattan only;

(e) Maintenance of the status quo;

E. Separation of housing from post adjustment

Recalling section III, paragraph 4, of its resolution 45/241 of 21 December 1990, by which it requested the Commission to establish a pilot project designed to simulate the operation of the proposals of the Commission in a limited number of duty stations in the field where valid housing comparisons were difficult or impossible,

Takes note of the decision of the Commission, set out in paragraph 99 of its report,[1] not to pursue further the issue of the separation of housing from post adjustment at small field duty stations;

II
Remuneration of the General Service and other locally recruited categories of staff

A. Review of the basis for the dependent children's allowance

Recalling section II.C of its resolution 52/216,

1. *Endorses* the decision of the Commission, set out in paragraph 110 (a) of its report,[1] that the social benefit approach for the payment of the children's allowance should continue to be maintained;

2. *Notes* the intention of the Commission to review the floor formula under the above-mentioned approach in 2001;

B. Survey of best prevailing conditions of employment in Paris

Recalling section II.A of its resolution 52/216, by which it reaffirmed that the Flemming principle should continue to serve as the basis for determining the conditions of service of the General Service and related categories and endorsed the revised methodology for surveys of best prevailing conditions of employment for these categories,

Takes note of the results of the salary survey conducted in Paris, as reported in paragraphs 111 to 118 of the report of the Commission;[1]

III
Conditions of service applicable to both categories of staff

A. Framework for human resources management

Recalling its resolutions 51/216, 52/216 and 53/209,

1. *Welcomes* the progress made by the Commission regarding the development of an integrated framework for human resources management;

2. *Takes note* of the conclusions and decisions of the Commission contained in paragraphs 173 to 177 of its report;[1]

3. *Requests* the Commission to continue its work in accordance with the programme outlined in paragraph 176 of its report;[1]

B. Standards of conduct for the international civil service

Recalling paragraph 13 of its resolution 52/252 of 8 September 1998,

Takes note of the decisions of the Commission contained in paragraphs 200 and 201 of its report;[1]

C. Education grant

Recalling section II.D, paragraph 2, of its resolution 48/224 of 23 December 1993, in which it requested the Commission to study expatriate entitlements with a view to harmonizing the practices of organizations with those of the United Nations and to make recommendations thereon to the General Assembly at its fifty-first session,

1. *Requests* the Commission to complete the review of the methodology for the education grant, as well as a review of the purpose, scope, application of, and controls for the education grant, and to report the results to the General Assembly at its fifty-fifth session;

2. *Also requests* the Commission, in conjunction with that review, to report specifically on harmonizing education grant practices with those of the United Nations, as called for in General Assembly resolution 48/224;

IV
Amendment proposed by the Administrative Committee on Coordination to the statute of the International Civil Service Commission regarding the establishment of an ad hoc advisory panel of the United Nations system

Having considered the note by the Secretary-General,[3]

1. *Takes note* of the comments of the Commission as outlined in paragraphs 206 to 215 of its report;[1]

2. *Reaffirms* the statute of the International Civil Service Commission;

[3] A/C.5/54/24.

V
Review of the International Civil Service Commission

Recalling paragraph 22 of its resolution 52/12 B of 19 December 1997,

Having considered the note by the Secretary-General on the review of the International Civil Service Commission,[4]

1. *Emphasizes* that the review process should be impartial and transparent, and that the Commission shall fully participate in the process;

2. *Decides* to revert to the consideration of the modalities of the review of the Commission, including, *inter alia*, the proposal of the Secretary-General contained in his note,[4] at the main part of its fifty-fifth session, subject to the submission by the Secretary-General of the information requested in paragraph 22 of its resolution 52/12 B;

3. *Requests* the Secretary-General to include in the information to be submitted to the General Assembly, *inter alia*, the following elements:

(a) Concrete and specific reasons, if any, for such a review;

(b) Identification of specific problems, if any, to be addressed;

(c) Objectives to be achieved by the review;

(d) Possible impact of such a review on the common system;

(e) Information on progress achieved resulting from previous reviews of the working methods and functioning of the Commission.

[4] A/54/483.

Annex I

Salary scale for staff in the Professional and higher categories showing annual gross salaries and net equivalents after application of staff assessment [a]

(United States dollars)
Effective 1 March 2000

Level		*I*	*II*	*III*	*IV*	*V*	*VI*	*VII*	*VIII*	*IX*	*X*	*XI*	*XII*	*XIII*	*XIV*	*XV*
Under-Secretary-General																
USG	Gross	158 132														
	Net D	108 242														
	Net S	97 411														
Assistant Secretary-General																
ASG	Gross	143 674														
	Net D	99 278														
	Net S	89 899														
Director																
D-2	Gross	117 550	120 165	122 777	125 389	128 002	130 615									
	Net D	83 081	84 702	86 322	87 941	89 561	91 181									
	Net S	76 325	77 683	79 041	80 398	81 756	83 113									
Principal Officer																
D-1	Gross	103 763	106 000	108 239	110 471	112 710	114 947	117 185	119 423	121 658						
	Net D	74 533	75 920	77 308	78 692	80 080	81 467	82 855	84 242	85 628						
	Net S	68 893	70 112	71 329	72 545	73 763	74 972	76 135	77 297	78 459						
Senior Officer																
P-5	Gross	91 215	93 239	95 265	97 289	99 313	101 335	103 361	105 385	107 408	109 434	111 458	113 481	115 505		
	Net D	66 753	68 008	69 264	70 519	71 774	73 028	74 284	75 539	76 793	78 049	79 304	80 558	81 813		
	Net S	62 014	63 164	64 267	65 370	66 471	67 572	68 674	69 776	70 878	71 980	73 082	74 183	75 262		
First Officer																
P-4	Gross	75 424	77 282	79 135	80 986	82 844	84 697	86 552	88 406	90 279	92 252	94 224	96 202	98 174	100 148	102 124
	Net D	56 380	57 606	58 829	60 051	61 277	62 500	63 724	64 948	66 173	67 396	68 619	69 845	71 068	72 292	73 517
	Net S	52 503	53 629	54 751	55 872	56 996	58 116	59 238	60 360	61 481	62 603	63 701	64 778	65 852	66 926	68 002
Second Officer																
P-3	Gross	61 730	63 473	65 217	66 956	68 700	70 441	72 182	73 926	75 668	77 411	79 153	80 894	82 636	84 377	86 121
	Net D	47 342	48 492	49 643	50 791	51 942	53 091	54 240	55 391	56 541	57 691	58 841	59 990	61 140	62 289	63 440
	Net S	44 191	45 248	46 307	47 364	48 422	49 479	50 536	51 594	52 650	53 708	54 762	55 816	56 870	57 923	58 977
Associate Officer																
P-2	Gross	50 349	51 779	53 206	54 635	56 063	57 490	58 919	60 377	61 938	63 495	65 052	66 612			
	Net D	39 251	40 281	41 308	42 337	43 365	44 393	45 422	46 449	47 479	48 507	49 534	50 564			
	Net S	36 815	37 749	38 680	39 612	40 543	41 477	42 424	43 368	44 317	45 263	46 208	47 155			
Assistant Officer																
P-1	Gross	38 988	40 363	41 735	43 108	44 479	45 851	47 226	48 599	49 969	51 343					
	Net D	31 071	32 061	33 049	34 038	35 025	36 013	37 003	37 991	38 978	39 967					
	Net S	29 310	30 221	31 131	32 043	32 953	33 863	34 775	35 674	36 568	37 465					

D = Rate applicable to staff members with a dependent spouse or child.
S = Rate applicable to staff members with no dependent spouse or child.

a This scale will be implemented in conjunction with a consolidation of 3.42 per cent of post adjustment. There will be consequential adjustments in post adjustment indices and multipliers at all duty stations effective 1 March 2000. Thereafter, changes in post adjustment classifications will be implemented on the basis of the movements of the consolidated post adjustment indices.

Annex II

Amendments to the Staff Regulations of the United Nations

Regulation 3.3

Replace the second table in paragraph (b) (i) with the following:

Staff assessment to be used in conjunction with gross base salaries (effective 1 March 2000)

A. Staff assessment rates for those with dependants

Assessable payments (United States dollars)	*Staff assessment rates for those with a dependent spouse or a dependent child (Percentage)*
First 30 000 per year	18
Next 30 000 per year	28
Next 30 000 per year	34
Remaining assessable payments	38

B. Staff assessment of those without dependants

Staff assessment amounts for those with neither a dependent spouse nor a dependent child would be equal to the differences between the gross salaries at different grades and steps and the corresponding net salaries at the single rate.

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Agenda item 142

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Report of the Fifth Committee

Rapporteur: Mr. Jan Piotr **Jaremczuk** (Poland)

I. Introduction

1. At its 3rd plenary meeting, on 17 September 1999, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fourth session the item entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" and to allocate it to the Fifth Committee.

2. For its consideration of the item, the Committee had before it the following documents:

(a) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the audit and investigation of the International Tribunal for the Former Yugoslavia (A/54/120);

(b) Report of the Secretary-General on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (A/54/395);

(c) Report of the Secretary-General on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 (A/54/518 and Corr.1);

99-39758 (E) 191299

(d) Note by the Secretary-General on the conditions of service for the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda (A/C.5/54/30);

(e) Report of the Advisory Committee on Administrative and Budgetary Questions on the proposed requirements of the International Tribunal for the Former Yugoslavia for 2000 (A/54/645).

3. The Fifth Committee considered the item at its 45th, 46th and 48th meetings, on 10, 13 and 17 December 1999. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/54/SR.45, 46 and 48).

II. Consideration of draft resolution A/C.5/54/L.25

4. At its 48th meeting, on 17 December, the representative of Pakistan, Vice-Chairman of the Committee and coordinator of the informal consultations on the item, introduced a draft resolution entitled "Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991" (A/C.5/54/L.25).

5. At the same meeting, the Committee adopted draft resolution A/C.5/54/L.25 without a vote (see para. 6).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

The General Assembly,

Taking note of the report of the Secretary-General on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling its resolution 47/235 of 14 September 1993 on the financing of the Tribunal and its subsequent resolutions thereon, the latest of which was resolution 53/212 of 18 December 1998,

Taking note of the budget performance report of the Tribunal for 1998[3] and the comments of the Advisory Committee thereon,

[1] A/54/518 and Corr.1.
[2] A/54/645.
[3] A/54/395.

1. *Deeply regrets* the delay in the submission of the report of the Secretary-General on the financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991[1] as well as the failure to submit to it the report of the expert review group on the effective operation and functioning of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, as requested in its resolution 53/212;

2. *Notes* with concern that, owing to the late submission of the report on the financing of the Tribunal, the General Assembly did not have adequate time to properly consider it;

3. *Requests* that future reports on the financing of the Tribunal be submitted by 1 October of the year in which they are considered;

4. *Requests* the Secretary-General to issue, as a matter of priority, the report of the expert review group in the six official languages of the United Nations;

5. *Also requests* the Secretary-General to obtain comments and observations from the Tribunal on the report of the expert review group, and to submit them, through the Advisory Committee on Administrative and Budgetary Questions, to the General Assembly for consideration at its resumed fifty-fourth session;

6. *Further requests* the Secretary-General to further improve the workload indicators and to use them, as much as possible, as the basis for supporting the resources requested in the budget estimates;

7. *Approves* the recommendations of the Advisory Committee[4] on the report of the Secretary-General on conditions of service for the judges of the Tribunals[5] concerning the establishment of a lump-sum payment for survivors of the judges;

8. *Also approves* the budgetary recommendations of the Advisory Committee, as contained in paragraph 77 of its report,[2] subject to the provisions of the present resolution;

9. *Decides* to appropriate, on a provisional basis, subject to further review at its resumed session, to the Special Account for the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, a total amount of 106,149,400 United States dollars gross (95,942,600 dollars net) for the year 2000;

10. *Also decides* that the financing of the appropriation for the year 2000 under the Special Account shall take into account the amount of 2,740,700 dollars gross (2,578,100 dollars net), being the unencumbered balance for 1998, the estimated unencumbered balance of 8,200,000 dollars gross and net from the appropriation for 1999 and the estimated income of 5,200 dollars for 2000, which shall be set off against the aggregate amount of the appropriation, as detailed in the annex to the present resolution;

11. *Further decides* to apportion the amount of 47,601,750 dollars gross (42,582,250 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year 2000;

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[4] A/54/646, para. 75.

[5] A/C.5/54/30.

12. *Decides* to apportion the amount of 47,601,750 dollars gross (42,582,250 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for the year 2000;

13. *Also decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 11 and 12 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 10,039,000 dollars approved for the Tribunal for the year 2000;

14. *Welcomes* contributions already made to the Voluntary Fund to support the activities of the Tribunal. and invites Member States and other interested parties to make further voluntary contributions to the Tribunal;

15. *Decides* to continue consideration of this agenda item during its resumed fifty-fourth session.

Annex

Financing of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

	Gross	*Net*
	(United States dollars)	
Appropriation for the year 2000	106 149 400	95 942 600
Less:		
Estimated unencumbered balance for the year 1999	(8 200 000)	(8 200 000)
Unencumbered balance for the year 1998	(2 740 700)	(2 578 100)
Estimated income for the year 2000	(5 200)	-
Balance to be assessed for the year 2000	95 203 500	85 164 500
Including:		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year 2000	47 601 750	42 582 250
Contributions assessed on Member States in accordance with the scale of assessments applicable to the peacekeeping budget of the United Nations for the year 2000	47 601 750	42 582 250

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Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Report of the Fifth Committee

Rapporteur: Mr. Jan Piotr **Jaremczuk** (Poland)

I. Introduction

1. At its 3rd plenary meeting, on 17 September 1999, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fourth session the item entitled "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994" and to allocate it to the Fifth Committee.

2. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General containing the fourth annual budget performance report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (A/54/496 and Corr.1);

99-39764 (E) 191299

(b) Report of the Secretary-General containing the proposed resource requirements for 2000 for the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 (A/54/521);

(c) Note by the Secretary-General transmitting the report of the Office of Internal Oversight Services on the follow-up to the 1997 audit and investigation of the International Criminal Tribunal for Rwanda (A/52/784);

(d) Note by the Secretary-General on the conditions of service for the judges of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda (A/C.5/54/30);

(e) Report of the Advisory Committee on Administrative and Budgetary Questions on the proposed requirements for the International Criminal Tribunal for Rwanda for 2000 (A/54/646 and Add.1).

3. The Fifth Committee considered the item at its 45th, 46th and 48th meetings on 10, 13 and 17 December 1999. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/54/SR.45, 46 and 48).

II. Consideration of draft resolution A/C.5/54/L.26

4. At the 48th meeting, on 17 December, the representative of Pakistan, Vice-Chairman of the Committee and coordinator of the informal consultations on the item, introduced a draft resolution entitled "Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994" (A/C.5/54/L.26).

5. At the same meeting, the Committee adopted draft resolution A/C.5/54/L.26 without a vote (see para. 6).

III. Recommendation of the Fifth Committee

6. The Fifth Committee recommends to the General Assembly the adoption of the following draft resolution:

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

The General Assembly,

Taking note of the report of the Secretary-General on the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other

Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994[1] and the related report of the Advisory Committee on Administrative and Budgetary Questions,[2]

Recalling its resolution 49/251 of 20 July 1995 on the financing of the Tribunal and its subsequent resolutions thereon, the latest of which was resolution 53/213 of 18 December 1998,

Taking note of the budget performance report for the Tribunal for 1998[3] and the comments of the Advisory Committee thereon,

1. *Deeply regrets* the delay in the submission of the report of the Secretary-General on the financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994,[1] as well as the failure to submit to it the report of the expert review group on the effective operation and functioning of the International Criminal Tribunal for Rwanda and the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 as requested in its resolution 53/213;

2. *Notes* with concern that, owing to the late submission of the report on the financing of the Tribunal, the General Assembly did not have adequate time to properly consider it;

3. *Requests* that future reports on the financing of the Tribunal be submitted by 1 October of the year in which they are considered;

4. *Requests* the Secretary-General to issue, as a matter of priority, the report of the expert review group in the six official languages of the United Nations;

5. *Also requests* the Secretary-General to obtain comments and observations from the Tribunal on the report of the expert review group, and to submit them, through the Advisory Committee on Administrative and Budgetary Questions, to the General Assembly for consideration at its resumed fifty-fourth session;

6. *Further requests* the Secretary-General to further improve the workload indicators and to use them, as much as possible, as the basis to support the resources requested in the budget estimates;

7. *Approves* the recommendations of the Advisory Committee[4] on the report of the Secretary-General on conditions of service for the judges of the Tribunals[5] concerning the establishment of a lump-sum payment for survivors of the judges;

8. *Also approves* the budgetary recommendations of the Advisory Committee as contained in paragraph 71 of its report,[6] subject to the provisions of the present resolution;

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[1] A/54/521.

[2] A/54/646 and Add.1.

[3] A/54/496 and Corr.1.

[4] A/54/646, para. 75.

[5] A/C.5/54/30.

[6] A/54/646.

9. *Decides* to appropriate, on a provisional basis subject to further review at its resumed session, to the Special Account for the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994 a total amount of 86,154,900 United States dollars gross (78,170,200 dollars net) for the year 2000;

10. *Also decides* that the financing of the appropriation for the year 2000 under the Special Account shall take into account the amount of 2,000,000 dollars gross (1,816,000 dollars net), being the estimated unencumbered balance as at the end of 1999 after absorption of overexpenditure recorded as at the end of 1998 for the biennium 1998-1999, which shall be set off against the aggregate amount of the appropriation, as detailed in the annex to the present resolution;

11. *Further decides* to apportion the amount of 42,077,450 dollars gross (38,177,100 dollars net) among Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year 2000;

12. *Decides* to apportion the amount of 42,077,450 dollars gross (38,177,100 dollars net) among Member States in accordance with the scale of assessments applicable to peacekeeping operations for the year 2000;

13. *Also decides* that, in accordance with the provisions of its resolution 973 (X) of 15 December 1955, there shall be set off against the apportionment among Member States, as provided for in paragraphs 11 and 12 above, their respective share in the Tax Equalization Fund of the estimated staff assessment income of 7,800,700 dollars approved for the Tribunal for the year 2000;

14. *Welcomes* contributions already made to the Voluntary Fund to support the activities of the Tribunal, and invites Member States and other interested parties to make further voluntary contributions to the Tribunal;

15. *Decides* to continue consideration of this item during its resumed fifty-fourth session.

Annex

Financing of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

	Gross	*Net*
	(United States dollars)	
Appropriation for the year 2000	86 154 900	78 170 200
Less		
Estimated unencumbered balance at the end of 1999 after absorption of overexpenditure recorded as at the end of 1998	(2 000 000)	(1 816 000)
Balance to be assessed for the year 2000	84 154 900	76 354 200
Including		
Contributions assessed on Member States in accordance with the scale of assessments applicable to the regular budget of the United Nations for the year 2000	42 077 450	38 177 100
Contributions assessed on Member States in accordance with the scale of assessments applicable to the peacekeeping budget of the United Nations for the year 2000	42 077 450	38 177 100

United Nations A/54/680

General Assembly

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Fifty-fourth session
Agenda item 164

Human resources management

Report of the Fifth Committee

Rapporteur: Mr. Jan Piotr **Jaremczuk** (Poland)

I. Introduction

1. At its 3rd plenary meeting, on 17 September 1999, the General Assembly, on the recommendation of the General Committee, decided to include in the agenda of its fifty-fourth session the item entitled "Human resources management" and to allocate it to the Fifth Committee.

2. For its consideration of the item, the Committee had before it the following documents:

(a) Report of the Secretary-General on developments in the post structure of the Secretariat over the past 10 years, on the forward-looking human resource management policy intended to be developed in the short and medium term, with a view to rejuvenating the Organization, and on the impact that such a policy should have on developments in post structure in the future (A/53/955);

(b) Report of the Secretary-General on the implementation of the recommendations of the Board of Auditors in connection with the hiring and use of consultants (A/54/164);

(c) Report of the Secretary-General on amendments to the Staff Rules (A/54/272);

(d) Report of the Secretary-General containing the text of the Staff Regulations drafted in gender-neutral terms (A/54/276);

(e) Report of the Secretary-General on the composition of the United Nations Secretariat (A/54/279 and Corr.1);

(f) Report of the Advisory Committee on Administrative and Budgetary Questions (A/54/450);

(g) Report of the Secretary-General on consultants and individual contractors hired by the United Nations during 1998 (A/C.5/54/4);

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(h) Report of the Secretary-General on the list of staff of the United Nations Secretariat (A/C.5/54/L.3);

(i) Note by the Secretary-General transmitting the comments of the Board of Auditors on the report of the Secretary-General on the hiring and use of consultants in the Secretariat (A/54/165);

(j) Note by the Secretary-General containing a consolidated and comprehensive compendium of all administrative circulars on the delegation of authority (A/54/257);

(k) Note by the Secretary-General on the competitive examination for promotion to the Professional category of staff members from other categories (A/C.5/54/2);

(l) Note by the Secretary-General on implementation of proposals on principles of personnel practices and policies (A/C.5/54/21).

3. The Fifth Committee considered the item at its 39th, 40th and 48th meetings, on 19 and 30 November and 17 December 1999. Statements and observations made in the course of the Committee's consideration of the item are reflected in the relevant summary records (A/C.5/54/SR.39, 40 and 48).

II. Consideration of draft decision A/C.5/54/L.24

4. At the 48th meeting, on 17 December, the representative of Pakistan, Vice-Chairman of the Committee and coordinator of informal consultations on the item, introduced a draft decision entitled "Human resources management" (A/C.5/54/L.24).

5. At the same meeting, the Committee adopted draft decision A/C.5/54/L.24 without a vote (see para. 7).

6. Following the adoption of the draft resolution, a statement in explanation of position was made by the representative of the Philippines (see A/C.5/54/SR.48).

III. Recommendation of the Fifth Committee

7. The Fifth Committee recommends to the General Assembly the adoption of the following draft decision:

Human resources management

The General Assembly:

(a) Approves the amendments to the Staff Regulations proposed in the report of the Secretary-General;[1]

(b) Takes note of the amendments to the Staff Rules set out in the report of the Secretary-General;[2]

(c) Decides to continue its consideration of the item entitled "Human resources management", as a matter of priority, at its resumed fifty-fourth session.

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[1] A/54/276, annex.

[2] A/54/272, annex.

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GENERAL ASSEMBLY
Fifty-fourth session
Agenda items 10, 11, 38, 49, 67, 71
75, 76, 104, 107 and 160
REPORT OF THE SECRETARY-GENERAL ON THE
WORK OF THE ORGANIZATION
REPORT OF THE SECURITY COUNCIL
QUESTION OF EQUITABLE REPRESENTATION
ON AND INCREASE IN THE MEMBERSHIP OF
THE SECURITY COUNCIL AND RELATED MATTERS
UNITED NATIONS REFORM: MEASURES AND PROPOSALS
COMPLIANCE WITH ARMS LIMITATION AND
DISARMAMENT AND NON-PROLIFERATION AGREEMENTS
DEVELOPMENTS IN THE FIELD OF INFORMATION AND
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GENERAL AND COMPLETE DISARMAMENT
GLOBALIZATION AND INTERDEPENDENCE
CRIME PREVENTION AND CRIMINAL JUSTICE
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fifty-fourth year

Letter dated 17 December 1999 from the Permanent Representatives of China and the Russian Federation to the United Nations addressed to the Secretary-General

We have the honour to transmit herewith the text of the joint Chinese-Russian statement adopted on 10 December 1999 following the informal meeting between Mr. Jiang Zemin, President of the People's Republic of China and Mr. B. N. Yeltsin, President of the Russian Federation, in Beijing (see annex).

We should be grateful if you would have this letter and its annex distributed as a document of the General Assembly, under agenda items 10, 11, 38, 49, 67, 71, 75, 76, 104, 107 and 160, and of the Security Council.

(Signed) QIN Huasun
Ambassador
Permanent Representative of the
People's Republic of China
to the United Nations

(Signed) Sergei LAVROV
Ambassador
Permanent Representative of the
Russian Federation to the
United Nations

Annex

Joint Chinese-Russian statement adopted on 10 December 1999

In the course of their second informal meeting, held in Beijing on 9 and 10 December 1999, Mr. Jiang Zemin, President of the People's Republic of China, and Mr. B. N. Yeltsin, President of the Russian Federation, held an in-depth exchange of views on questions of mutual interest. Afterwards, the two heads of State adopted the following statement:

I

The two heads of State emphasize the importance and timeliness of the conclusions and assessments contained in the Russian-Chinese Joint Declaration on a Multipolar World and the Establishment of a New International Order of 23 April 1997, the joint Russian-Chinese statement of 10 November 1997, the joint statement on the results of the Russian-Chinese summit meeting on Russian-Chinese relations on the threshold of the twenty-first century, and the joint communiqué on the results of the Russian-Chinese summit meeting of 23 November 1998.

The leaders of China and the Russian Federation reaffirm that they will strictly adhere to the principled approaches to international questions set forth in the above-mentioned documents. They advocate the establishment in the twenty-first century of a multipolar world based on the Charter of the United Nations and the applicable norms of international law, the strengthening of the leading role of the United Nations in international affairs, the peaceful settlement of international disputes by political means, equitable relations among all members of the international community and equal security for all, respect for each other's choice of the path of development and each other's sovereignty, non-interference in internal affairs and the creation of a just, equitable and mutually advantageous international political and economic order. The two sides appeal to all countries of the world to make concerted efforts for the creation of a democratic and balanced multipolar world structure in which the different cultures would exist harmoniously, cooperate constructively and enrich each other, and in which the equality of all sovereign States would be ensured.

II

The two sides feel obliged to note the recent growth of unfavourable trends in the sphere of international security.

The two sides consider that the creation, in violation of the Anti-Ballistic Missile Treaty of 1972, of a national anti-ballistic-missile defence system by one of the States which signed that Treaty will have a destructive effect on strategic stability and on the entire structure of key international agreements relating to disarmament and the non-proliferation of weapons of mass

destruction and means of their delivery, and will mar prospects for achieving further progress in these directions.

The two sides reaffirm that they consider unacceptable any attempts to violate the Anti-Ballistic Missile Treaty of 1972 and emphasize that the Treaty has been and must remain a cornerstone of strategic stability. The two sides hold the view that the 1972 Treaty must be strictly and fully implemented. In this connection, the sides note in particular the importance of General Assembly resolution 54/54 A, of 1 December 1999, entitled "Preservation of and compliance with the Treaty on the Limitation of Anti-Ballistic Missile Systems", submitted by China, the Russian Federation and Belarus.

The two sides point out that the plans of certain Governments to develop a regional anti-ballistic-missile defence system are liable to undermine peace and stability in the Asia and Pacific region. The Russian side supports the position of the Chinese side to the effect that the inclusion of the Chinese province of Taiwan in these plans in any form by any Government whatsoever is unacceptable.

The two sides express deep regret over the refusal by the United States of America to ratify the Comprehensive Nuclear-Test-Ban Treaty.

The two countries stress that they share identical or similar positions on a number of key issues, and this is a major prerequisite for joint or coordinated efforts to maintain strategic stability. These key issues include the prevention of an arms race in outer space or through the use of information technology, implementation of the treaty on the Non-Proliferation of Nuclear Weapons and the Chemical Weapons Convention, the elaboration of a protocol to the Biological Weapons Convention and the drafting of an agenda for the Conference on Disarmament.

The Chinese side expresses its understanding of the position of the Russian side with regard to the further reduction of the strategic offensive weapons of the United States of America and the Russian Federation.

The two sides consider that full responsibility for the consequences of any undermining of strategic stability and international security would rest with those States which caused the collapse of fundamental agreements in the field of disarmament. The sides maintain that, in the present situation, there is a growing need for close coordination of actions in the maintenance of global strategic stability.

III

The two sides observe that certain adverse trends are increasingly discernible in international relations. These include the endeavour to foist on the international community a unipolar global structure and a single system of culture, values and ideology; attempts to weaken the role of the United Nations and its Security Council; the search for grounds to justify the irresponsible interpretation or revision of the fundamental contents and principles of the Charter of the United Nations; the strengthening and expansion of military

blocs; the replacement of international law by pressure tactics and even the resort to military force; the use of the concept which holds that "human rights take precedence over sovereignty" and of the theories of "humanitarian intervention" to infringe the sovereign rights of independent States.

The two sides express their readiness, together with other countries, to oppose such trends, which prevent the establishment of an equitable, multipolar structure of international relations.

IV

The two sides emphasize that a major priority of the foreign-policy efforts of China and the Russian Federation is the affirmation of the leading role of the United Nations in world affairs.

The two sides agree that the rational and carefully administered reform of the Organization will help to strengthen its authority and role. At the same time, the two sides express the conviction that the status and role of the Security Council, as the principal organ responsible for the maintenance of international peace and security, must under no circumstances be placed in doubt or weakened. The sides once again declare that the retention unchanged of the powers vested under the Charter in the existing permanent members of the Security Council is essential for maintaining the effectiveness and stability of the United Nations.

V

China and the Russian Federation attach great importance to their admission to membership in the World Trade Organization (WTO) under conditions that would enable them to occupy an equitable and worthy place in the world-trade system, which would be in keeping with the interests of all members of that Organization. Negotiations on the admission of China and the Russian Federation into the WTO have reached a decisive stage. The two sides consider that the WTO should be universal in character and that, with regard to the conditions for the admission of new members, a balance should be maintained between rights and obligations, with consideration also being given to their level of socio-economic development.

VI

The two sides maintain that international terrorism, religious extremism and national separatism in all its forms, as well as transnational criminal activities (such as illicit trafficking in arms, narcotic drugs and psychotropic and explosive substances, and economic offences) have now become serious threats to the security of sovereign States and to international peace and security.

The two sides reaffirm their determination to take practical, coordinated steps to combat those phenomena on both a bilateral and a multilateral basis.

VII

China and the Russian Federation express their satisfaction at the pace of implementation of the Bishkek Declaration, adopted by the heads of States members of the "Shanghai Five" (the People's Republic of China, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan) on 25 August 1999 (A/54/314-S/1999/942, annex). The meeting of the senior law-enforcement officials of the five States held in Bishkek on 1 and 2 December 1999 was a significant practical step in that direction. The two sides consider that the meeting of ministers of defence of the countries of the "Shanghai Five" to be held in the year 2000 will be an important step towards implementing the agreements reached by the five heads of State.

The two sides consider that the time is now ripe to begin preparations for a meeting of ministers for foreign affairs of the five States.

The sides support the idea of conducting consultations among experts of the Five on questions of multilateral economic cooperation (including cooperation in the transport field and in the extraction and transport of oil and gas). Such talks could become an important and integral part of preparations for a meeting of the heads of State of the People's Republic of China, the Republic of Kazakhstan, the Kyrgyz Republic, the Russian Federation and the Republic of Tajikistan.

VIII

The two sides underscore the need for the earliest possible resolution of the question of Iraq exclusively through political means in strict accordance with the norms of international law, in keeping with the central role of the Security Council and on the basis of the resolutions it has adopted. The resumption by Iraq of cooperation with the United Nations must be accompanied by the lifting of the economic sanctions imposed on that country.

IX

The two sides expressed serious concern about the development of the situation in and around Kosovo and the escalation of inter-ethnic tension in the region, particularly in connection with the unsatisfactory level of implementation of Security Council resolution 1244 (1999) and the growing trend towards separating Kosovo from the Federal Republic of Yugoslavia. China and the Russian Federation, as two permanent members of the Security Council, urge all interested parties to ensure the full and unconditional implementation of all provisions of resolution 1244 (1999), full respect for the sovereignty and territorial integrity of the Federal Republic of Yugoslavia, the comprehensive and consistent observance of the Charter of the United Nations and of the universally recognized principles of international law, and respect for the legitimate rights of all nationalities in the Kosovo region.

X

The two sides reaffirm their mutual support for the maintenance of each other's national unity, sovereignty and territorial integrity.

The Russian side, in supporting the important issue of the reunification of China, reaffirmed its position on the question of Taiwan set forth in earlier documents adopted jointly by the two sides, and declared that it could not accept affirmations that relations between the two sides situated on the opposing shores of the Taiwan Strait were "relations between States". The Chinese side expressed satisfaction regarding the above-mentioned position of the Russian side.

The Chinese side again declared that the Chechen problem was entirely an internal affair of the Russian Federation. The Chinese side supports the actions being taken by the Government of the Russian Federation to combat terrorist and separatist forces. The Russian side expressed satisfaction with regard to the above-mentioned position of the Chinese side.

* * *

China and the Russian Federation, in pursuance of their goal of achieving an equitable and trusting strategic partnership, and also on the basis of the convergence or similarity of their positions both on questions of principle relating to the building of a multipolar, democratic and equitable world order and on specific current international problems, will strengthen cooperation in those directions. The cooperation of the two sides in international affairs is not directed against third countries; rather, it is aimed at protecting their own fundamental national interests, but also at strengthening peace and stability in the Asia and Pacific region and throughout the world.

United Nations A/54/682

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Fifty-fourth session
Agenda item 31
Cooperation between the United Nations and the Organization of African Unity

Letter dated 13 December 1999 from the Permanent Representative of Algeria to the United Nations addressed to the Secretary-General

I have the honour to request that you arrange for the Khartoum Declaration (see annex I) and the Recommendations on Refugees, Returnees and Internally Displaced Persons in Africa (see annex II), adopted by the Organization of African Unity at the ministerial meeting held in Khartoum on 13 and 14 December 1998 to be circulated as a document of the General Assembly under agenda item 31.

(Signed) Abdallah **Baali**
Ambassador
Permanent Representative
Representative of the current Chairman of the Organization of African Unity

00-21858 (E) 040100

Annex I

[Original: Arabic, English and French]

Khartoum Declaration

We, the Ministers representing the Member States of the Organization of African Unity meeting in Khartoum, The Sudan, from 13 to 14 December, 1998, to consider the situation of refugees, returnees and internally displaced persons in our Continent;

Recalling Resolution CM/Dec. 362(LXVI) adopted by the OAU Council of Ministers meeting in Harare, Zimbabwe in May, 1997 and endorsed by the Assembly of Heads of State and Government;

Noting that on the threshold of the new millennium, the situation of refugees, returnees and internally displaced persons in Africa continues to deteriorate;

Recognizing that the main causes of the Continent's refugees, returnees and internally displaced persons are situated within Africa itself and that the eradication of these causes is primarily the responsibility of African countries with the support of the international community;

Appreciating Africa's tradition of granting asylum to refugees and people in need;

Noting with deep concern the growing fatigue of the countries of asylum and the diminishing donor commitment to provide humanitarian assistance to refugees, returnees and internally displaced persons;

Reaffirming the fundamental responsibility of States to provide protection and assistance to refugees and asylum seekers and concept of burden-sharing;

Expressing appreciation for the humanitarian assistance rendered to refugees, returnees and internally displaced persons by Member States, donor countries, international organizations, UNHCR and ICRC in particular as well as other Regional and Sub-regional and Non-Governmental Organizations;

Bearing in Mind the mandate of ICRC in the field of assistance and protection of displaced persons in times of armed conflicts;

Bearing in mind also the security concerns of States facing the problems of large scale refugee influx and internally displaced persons and the responsibilities of States and non-state actors to ensure the security of humanitarian workers as well as the need to maintain the civilian and humanitarian character of refugee camps and settlements;

Appreciating the contribution of Sub-Regional Organizations in addressing the problem of refugees, returnees and internally displaced persons as well as the establishment of Regional mechanisms for conflict prevention, and resolution;

Considering that refugees, returnees and internally displaced women and children are the majority of populations affected by conflicts and bear the brunt of the atrocities and other consequences of conflict.

WE HEREBY:

1. EXPRESS GRAVE CONCERN about the growing problem of refugees, returnees and displaced persons in Africa.

2. URGE OAU Member States to adopt comprehensive policies to address the root causes of the problem of refugees, returnees and internally displaced persons and to enhance the capacity of the OAU to play an active role in resolving conflicts and in promoting reconciliation among Member States in close co-operation with the international community.

3. APPEAL to Member States which have not yet acceded to the 1951 UN Convention on Refugees and its 1967 Protocol, the1969 OAU Convention, as well as the 1981 African Charter on Human and Peoples' Rights including the Protocol on the Establishment of the African Court on Human and Peoples' Rights and the 1954 Convention relating to the Status of Stateless Persons as well as the 1961 Convention on the Reduction of Statelessness, to do so.

4. ENCOURAGE Member States to adopt the necessary national legislation, administrative regulations and procedures to ensure the effective and full implementation of the instruments to which they have acceded.

5. APPEAL to the international community to provide assistance to alleviate the heavy burden of countries hosting refugees, returnees and internally displaced persons with particular reference to the environment and infrastructure.

6. CALL UPON Member States to seek durable solutions to the problem of forced population displacement.

7. REAFFIRM the right of return and also the principle of voluntary repatriation and APPEAL to countries of origin to create conditions conducive to voluntary repatriation.

8. RECOGNIZE that local integration and resettlement is a desirable solution for dealing with the situation of refugees who are unable to return home.

9. FURTHER APPEAL to Member States and the International Community to pursue initiatives aimed at promoting and strengthening national reconciliation, reconstruction, rehabilitation and respect for human rights, particularly within States emerging from conflict.

10. EXPRESS GRAVE CONCERN about the plight of internally displaced persons in Africa which is increasing at an alarming rate and CALL UPON Member States concerned to take concrete action to meet their protection and assistance needs and URGE the international community, led by relevant UN agencies, to generously contribute to the national projects and programmes aimed at alleviating the plight of the internally displaced persons.

11. URGE Member States and all other actors to take all the necessary measures to protect the activities related to humanitarian assistance and to prevent attacks on and kidnapping of national and international humanitarian workers and to ensure their safety and security and FURTHER REQUEST organisations and aid workers to abide by the national laws and regulations of the countries where they operate.

12. URGE Member States and all other actors, in consultation with the OAU and UNHCR, to separate armed elements from civilian refugee population to ensure the civilian and humanitarian character of refugee camps and settlements.

13. EXPRESS deep concern over the situation of African refugees in and outside Africa and the hardships they encounter, and CALL UPON countries of asylum and the relevant international organizations to protect their human rights and safeguard their welfare.

14. STRESS the need for Member States to commit themselves to intensify their efforts aimed at finding lasting solutions to the problem of forced population displacement in order to enhance the prospects for long term peace, security and development of the Continent.

15. ENCOURAGE the development of capacity building initiatives for Member States and Regional and Sub-regional institutions through support for UNCHR and ICRC and RECOMMEND, in this context, the opening of the Special Contingency Fund for Refugees to voluntary contributions.

16. URGE Member States to ensure the full participation of refugee, returnee and internally displaced women and children in rehabilitation, reintegration, reconstruction and peace building programmes.

17. REQUEST Member States, in cooperation with UNHCR, to identify appropriate ways to commemorate the 30th Anniversary of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa adopted on 10 September 1969 and to reaffirm States' commitment to refugees and humanitarian principles.

18. INVITE Member States to work out modalities to ensure the implementation of the recommendations adopted by the Khartoum meeting, and request the OAU to assist Member States in the implementation of these recommendations and to report to the forthcoming meeting of the OAU Council of Ministers and the OAU Assembly of Heads of State and Government, scheduled to take place in Algiers, Algeria, in 1999.

Khartoum
14 December 1998

Annex II

[Original: Arabic, English and French]

Recommendations on Refugees, Returnees and Internally Displaced Persons in Africa

1. Root Causes

1. Most of the refugee flows and forced population displacements are caused by armed conflicts, civil strife, ethnic, religious and political intolerance, abuse of human rights, non-respect for democratic principles, poverty, natural and man-made disasters and external interference.

2. Member States are urged to take necessary measures to tackle these root causes.

2. Refugee Instruments

3. The Thirtieth Anniversary of the 1969 OAU Convention Governing the Specific Aspects of Refugee Problems in Africa, adopted in September 1969 will be marked in 1999.

4. Member States are encouraged to commemorate the anniversary by recommitting themselves to the principles of the OAU Refugee Convention. The commemoration of the OAU Convention also provides an opportunity to Member States, which have not done so, to accede, incorporate and implement the international refugee instruments, including the 1969 OAU Convention, the 1951 UN Convention Relating to the Status of Refugees and its 1967 Protocol, the 1961 Convention on the Reduction of Statelessness, the African Charter on Human and Peoples' Rights, as well as the related Protocol on the establishment of the African Court on Human and Peoples' Rights.

3. Strengthening Refugee Protection in Africa

a) Asylum

5. In conformity with the African tradition of hospitality and bearing in mind that granting asylum to refugees is a peaceful and humanitarian act, Member States are urged to continue to extend asylum to all deserving persons. To this end, Member States in consultation with UNHCR, should establish appropriate mechanisms for the determination of refugee status.

b) Protection

6. Member States are encouraged to strictly observe the principle of non-refoulement, enshrined in the 1969 OAU Convention, the 1951 Convention and the 1967 Protocol and to adopt an approach based on the protection of the human and fundamental rights of refugees within the framework of relevant Regional and Universal Instruments.

7. Special measures should be taken to address the protection and other needs of refugee women, children, the elderly and other vulnerable groups.

8. Given the growing problem of statelessness in Africa, Member States are also urged to take steps to ratify the 1954 Convention relating to the Status of Stateless Persons as well as the 1961 Convention on the Reduction of Statelessness.

c) Security

9. The presence of armed elements among civilian refugee populations is a major concern. Member States are urged to take necessary measures, in consultation with the OAU and the UNHCR, to preserve the civilian and humanitarian character of refugee camps and settlements by separating armed elements from the civilian population.

10. States and non-State Actors, are requested to ensure the security of humanitarian workers and to allow unconditional and unhindered access to protect and assist refugees and other persons in need.

11. In conformity with the OAU Convention on Refugees, States are requested to locate refugee camps as far away as possible from the frontier

at the outset of an emergency operation, rather than promoting their relocation at a later stage.

4. Durable Solutions

12. Voluntary repatriation and reintegration remain the most desirable solution to the problem of refugees. To this end, countries of origin should endeavour to create conditions conducive to the voluntary repatriation of refugees. The right of refugees to return to their country of origin is a fundamental right and should be respected by Member States.

13. Countries of asylum should explore more systematically the potential benefits of local integration programmes for both refugees and hosting communities.

14. To this end, Member States should strengthen, where appropriate, their democratic institutions as well as other mechanisms for the prevention and resolution of disputes including the traditional ones. In this context, the role of women youth and minorities in areas of conflict prevention, management and peace-building should be encouraged.

15. Member States have an obligation under the OAU and UN Charters to resolve disputes peacefully, if solutions to the problem of mass displacement and human insecurity in Africa are to be found or future displacement avoided. The role of third parties in promoting conflicts within and between States, thus generating refugees, should be seriously addressed and discouraged.

16. Conventional reintegration programmes should be complemented with activities which are more specifically designed to promote democracy, reconciliation and justice, including consensus-building on notions of responsibility and justice, and the promotion of human rights and minority rights.

5. Consolidating the Reintegration Process

a) Community-based and Participatory Programmes

17. Member States are requested to develop comprehensive reintegration efforts, benefitting all of those individuals and social groups which have been adversely affected by recent wars and conflicts. Assistance should always be provided on the basis of need, as non-discriminatory

reintegration initiatives have an important role to play in promoting the process of social and political reconciliation. In addition, community-based and participatory initiatives should be put in place if the related objectives of reintegration and reconciliation are to be attained.

18. The protection and assistance needs of the most vulnerable, particularly women, children, disabled persons and the elderly, must be provided for at every stage of the return and reintegration operation. Their potential to contribute to reintegration and peace-building efforts should also be fully realized. This is of particular importance, given the large proportion of households headed by women and children in Africa's war-torn states. In this regard, special attention should be given to unaccompanied minors and the need for their protection and reunification with their families.

19. Special efforts should be made to maximize the contribution which women and other groups can make in the process of reconciliation and post-conflict recovery.

b) Reintegration and Rehabilitation Programmes

20. There should be better coordination between national actors and international organizations to ensure the speedy implementation and sustainability of rehabilitation projects.

21. More efforts should be deployed by international financial institutions and developmental agencies to bridge the gap between short-term relief efforts of Agencies such as the UNHCR, the ICRC and Member States and to longer term development programmes especially, in the conflict-affected areas of Africa. In this context, the meeting appealed to the World Bank and other financial institutions to adopt peace-friendly economic reform programmes including debt relief measures in support of long term development efforts and post-conflict recovery.

c) International Support and Commitment

22. Sustainable reintegration and post-conflict recovery cannot take place unless the principles of state responsibility and international solidarity are upheld. In this regard, it is desirable and crucial that such international solidarity be extended to the efforts made by States to bring about post-conflict recovery. Regrettably, donor states have already made substantial reductions to their emergency relief and development assistance

budgets. The international financial institutions have generally been reluctant to grant any significant measure of debt relief to Africa's poorest countries, and have continued to insist on the implementation of economic policies which reduce public services and which require some of the poorest people in the world to pay for basic resources which were previously provided free of charge. Indeed, there are already signs of growing social tension and political alienation in some of the African states where armed conflicts have recently been brought to an end.

23. The Meeting reaffirms its belief that modest investment in the process of post-conflict recovery will now help to avert the need for more costly and ultimately less useful interventions at a later date.

24. The Meeting appeals to the international community to give greater recognition to the fact that it is also in their own interest to invest in the peace-building process in the states of Africa. It is in the interest of all states and the international community as a whole to ensure that African States which have been scarred by war are able to reintegrate their displaced populations, consolidate the peace and embark upon a process of sustainable development.

6. Building Africa's Capacity to Respond to Refugee and Internal Displacement Situations

a) African Institution Building

25. In line with the recommendation adopted at the OAU/UN Cooperation Meeting in Addis Ababa in May 1998, the OAU should strengthen its early warning system with the assistance of the UN agencies so that it can better monitor humanitarian developments and crises throughout the continent and better seize its Member States as to areas where they can act to ameliorate and contain the negative aspects of such developments.

26. UN Agencies and international organizations particularly the ICRC and UNHCR, should continue conducting and expanding their training programmes in international and regional refugee and humanitarian law for African institutions and officials at the national, sub-regional and regional levels. Training should also be given in other related areas, such as emergency management and provision of humanitarian assistance.

27. Member States should continue to provide support for the further development and implementation of the OAU Commission on Refugees' Programme of Action, particularly in the area of building the capacity of African Non-Governmental Organizations working with refugees and internally displaced persons.

28. Local Civil society and traditional groups involved in local development activities should be strengthened and encouraged to increase their interaction with African and other NGOs involved in dealing with refugees, returnees and internally displaced persons issues.

b) Resource Mobilization and Public Awareness for Refugees, Returnees and Internally Displaced Persons in Africa

29. The OAU should take the lead in widely disseminating the OAU Refugee Convention in the OAU working languages, particularly to Member States, regional and sub-regional organizations, UN agencies, international and African NGOs. The thirtieth anniversary of the Convention in 1999 provides an opportunity for Member States to work with the UN and other relevant agencies to intensify its education, public information and awareness campaign.

30. The OAU, in cooperation with other concerned parties within and outside Africa, should organize an experts group to prepare and organize the Round Table Conference on resource mobilization and public awareness, pursuant to the OAU Resolution adopted by the Council of Ministers in February 1998 (CM/Dec.388 (LXVII) concerning the need to mobilize resources and raise public awareness for refugees, returnees and displaced persons in Africa.

31. The OAU Commission on Refugees, in collaboration with the UNHCR and other interested parties, should develop a strategy to facilitate the implementation of the Commission's Programme of Action in the area of resource mobilization and advocacy on behalf of refugees on the continent. This should be based on recommendations outlined in the Report of the 1997 OAU/UNHCR Seminar on Resource Mobilization and Public Awareness for Refugees in Africa, and should be in line with the Commission's Programme of Action. In this regard, the important role of different actors such as women, other continental personalities and entertainers in resource mobilization efforts should be recognized and utilized.

32. Member States are encouraged to work closely with regional and sub-regional organizations to develop a comprehensive strategy to work with the media in promoting refugee and humanitarian issues in Africa. Governmental refugee agencies should themselves take on a more public advocacy role in this regard in order to promote the OAU's refugee instrument and to counter sometimes misleading and even xenophobic allegations faced by refugees and asylum seekers.

7. Assistance and Resolving the Problem of Internally Displaced Persons in Africa

33. The increasing number of internally displaced persons in Africa and how to provide appropriate protection and assistance to them are of grave concern.

34. Given the magnitude of the internally displaced persons problem, the OAU Commission on Refugees, in the context of its planned missions to Member States, is urged to examine the issues, problems and challenges of internal displacement in Africa and to present its findings and recommendations to the OAU Council of Ministers in February 1999. Similarly, the Guiding Principles on Internal Displacement should be submitted to the OAU Commission on Refugees at its next Session. The Commission would in turn submit its conclusions to the session of the OAU Council of Ministers in February 1999.